

1 HONORABLE JAMAL N. WHITEHEAD  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

9 ENCOMPASS INSURANCE COMPANY, as subrogee of Stephen and Stephanie Phillips,	No. 2:23-cv-00231-JNW
10 Plaintiff,	DECLARATION OF BRENT J. HARDY IN OPPOSITION TO DEFENDANT'S MOTION FOR SANCTIONS
11 vs.	MOTION DATE: November 22, 2024
12 NORCOLD, INC., a foreign corporation, 13 Defendant.	

15 I, Brent J. Hardy, hereby declare as follows:

16 1. I am over the age of eighteen and competent to testify to the following.

17 2. I make this declaration based on personal knowledge.

18 3. I am one of the attorneys for plaintiff Encompass Insurance Company in  
connection with the above captioned litigation.

19 4. Attached hereto as **EXHIBIT A** is a true and correct copy of Snohomish County  
20 Fire Marshal's Office's Incident Report and supporting materials associated with the fire that  
21 occurred at Stephen and Stephanie Philips home at 12312 127<sup>th</sup> Avenue Northeast in Lake  
22 Stevens, Washington that is the subject of this litigation.  
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25 DECLARATION OF BRENT J. HARDY IN OPPOSITION TO  
DEFENDANT'S MOTION FOR SANCTIONS - 1  
(2:23-cv-00231)

SHUMSKY & BACKMAN, PLLC  
219 NW 20<sup>th</sup> AVENUE, SUITE 201  
BATTLE GROUND, WA 98604  
(360) 891-0442

1       5. Attached hereto as **EXHIBIT B** is a true and correct copy of Plaintiff's March 4,  
2 2024 Expert Disclosure Report prepared by Jensen Hughes related to the loss that is the subject  
3 of this litigation.

4       **I hereby declare that the above statements are true to the best of my knowledge and**  
5 **belief, and that I understand they are made for use as evidence in court and are subject to**  
6 **penalty for perjury.**

7       Dated this 12<sup>th</sup> day of November 2024 in Snoqualmie, Washington.  
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11       Brent J. Hardy, WSBA #45405